

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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JOHN DEREK MURPHY,

Civil Action No. 05-10548-JLT

Petitioner,

vs.

MICHAEL THOMPSON,
Superintendent, MCI Shirley,

Respondent.

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**ASSENTED-TO MOTION TO ACCEPT
RESPONDENT'S MEMORANDUM OF LAW AS TIMELY FILED**

The respondent, Michael Thompson, with the assent of counsel for the petitioner, John D. Murphy, hereby moves this Court to accept his memorandum of law, filed this day, as timely filed. As grounds for this motion, the respondent states that pursuant to the Court's scheduling order, the respondent's memorandum was due to be filed yesterday, August 31, 2005. The respondent has filed the memorandum electronically today, September 1, 2005. Accepting the memorandum one day late will not unduly delay this case and will not cause prejudice to any party. Moreover, counsel for the petitioner has assented to this motion.

WHEREFORE, the respondent respectfully requests that this Court accept his memorandum of law, filed this day, as timely filed.

Respectfully submitted,

MICHAEL THOMPSON,
Superintendent, MCI Shirley,

By his attorney,

THOMAS F. REILLY,
ATTORNEY GENERAL

/s/ Maura D. McLaughlin
Maura D. McLaughlin
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Assented:

/s/ Angela G. Lehman, Esq. (by MDM)
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P.O. Box 1527
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Dated: September 1, 2005

